

Leasing & Asset Management

The lease is the lifeblood of commercial real estate. Winstead's Leasing & Asset Management Practice Group understands the importance of each lease to our clients' ultimate success in any tenant-occupied real estate investment, whether representing the landlord or tenant in a given transaction. Thoughtful review, drafting and negotiation of a lease agreement will set the stage for a successful relationship between landlord and tenant for years to come.

Winstead attorneys draft and negotiate hundreds of leases and related ancillary documents each year. We have a wide and deep breadth of experience, regularly representing both landlords and tenants across all commercial real estate industry types, including retail, restaurant, office, health care, mixed-use and industrial projects. In addition to preparing and negotiating lease agreements, we regularly handle ancillary asset management documentation, including lease amendments, license agreements, SNDAs, property management agreements, brokerage listing agreements and other related documentation. Our clients rely on Winstead as a "one stop shop" and have access to all of Winstead's areas of experience related to leasing and asset management matters across industry groups and practice areas.

We define success in our clients' terms. We have built an experienced team of attorneys focused on the efficient delivery of leasing and asset management services, which can be scaled to suit the needs of clients and projects of any size or nature. We have developed volume leasing programs and standardized form documents (with alternative provisions) appropriate for nearly all leasing circumstances, enabling us to streamline the lease drafting and negotiating process, recognizing our clients' need for efficiency and cost-effectiveness in all aspects of any transaction. We begin every transaction seeking to understand our clients' business objectives and ultimate goals and work to structure every lease to maximize opportunity and minimize risk.

Range of Services

- Letter of intent and lease preparation and/or negotiation
- Brokerage and property management representation
- Arbitration and dispute resolution
- Lease amendments, restructurings and workouts
- Counseling on development matters (including title, zoning, tax, access, condominium regimes, restrictive covenants and other land use issues)
- Counseling on environmental issues
- Lease administration
- Bankruptcy
- Construction
- Build-to-Suit leases and ground leases

Areas of Focus

Representation of Landlords

We represent landlords with national portfolios across all commercial real estate asset classes, including developers of mixed-use projects, national and regional shopping center owners, industrial and warehouse developers, owners of every size of office building, and other commercial projects. We have developed volume leasing programs and standardized form documents (with alternative provisions) to streamline the lease drafting and negotiating process.

Representation of Tenants

We represent tenants in sophisticated leasing transactions of all sizes and all asset classes, including national and regional "big box" and in-line retail tenants, national and regional restaurant chains and locations, investors and operators, corporate office users in connection with headquarters and other facilities leases, and warehouse and distribution center tenants in connection with large industrial leases. We tailor our representation of each tenant to fit such tenant's particular

needs and consistently seek to meet our client's' goals as they invest hard-earned capital into any leased space, whether it is their corporate headquarters or a single location out of hundreds across the country.

Development Matters

Winstead's unparalleled land use group is available to counsel clients with respect to land use and zoning matters related to all aspects of asset management. Winstead also has a leading-class condominium and mixed-use development team which is able to assist with any needs relating to formation and governance of mixed-use projects.

Dispute Resolution & Lease Enforcement

We leverage the knowledge, resources, and experience of our full-service business law firm, including a litigation group with a deep understanding of commercial real estate law. When litigation or dispute resolution is necessary, we work vigorously to protect our clients' rights and interests, while helping evaluate, manage, and control the risks, costs, and uncertainties associated with litigation.

Bankruptcy

Our bankruptcy group provides invaluable input and support in the event a party to a lease agreement files for bankruptcy or when any other bankruptcy issues arise in the course of a lease relationship. Such services include advising on our clients' options in such event and monitoring any filings in any cases.

Construction

Winstead's experienced construction group is focused on critical review of construction and architecture contracts, as well as providing input with respect to tenant improvement issues as needed. Our construction attorneys are available to assist with any construction-related disputes and lien issues that may arise in the course of any landlord-tenant relationship.